EXHIBIT NO. _____

34 C 6-28-05

City of Alexandria, Virginia

MEMORANDUM

DATE:

JUNE 27, 2005

TO:

THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

JAMES K. HARTMANN, CITY MANAGER

SUBJECT:

VIRGINIA PAVING ASPHALT PLANT, 56(1) COURTNEY AVENUE

ISSUE: Citizen complaints regarding vehicular traffic at the Virginia Paving asphalt plant in violation of the terms of the plant's Special Use Permit.

RECOMMENDATION: That City Council ask staff to take one of the following actions:

- A. Take immediate action on the SUP #398's prohibition on nighttime vehicle activity at the Virginia Paving facility; or
- B. Take immediate action on the SUP #398's prohibition on nighttime vehicle activity, except as to that work which is most critical for the public health, safety and welfare, such as work on the Woodrow Wilson Bridge; or
- C. Require Virginia Paving to complete the environmental review and testing it has agreed to perform, hold the SUP for hearing in September, and delay enforcement of the condition until that time.

<u>DISCUSSION</u>: During the public comment portion of Council's June 21, 2005, public hearing, representatives of Cameron Station asked Council to act immediately on the conditions of Virginia Paving Company's SUP. Council requested this memorandum and that staff address these complaints at Council's June 28 meeting.

Virginia Paving SUP Condition

Virginia Paving, formerly Newton Asphalt, has been in operation in the City at its current location for 45 years. It is located on Courtney Avenue, east of South Van Dorn Street just south of the intersection with South Pickett Street

SUP Violation

When the asphalt plant was established in Alexandria, it required Council approval by SUP. SUP No. 398 (attached), approved in 1960, contains the following language, which is one of the few

limitations included in the permit, and which was recommended as a matter of traffic safety by the City's Director of Traffic:

That no operation of this plant requiring exit or entrance of vehicles be permitted after hours of darkness or during inclement weather or on Sundays or holidays.

The restriction neither generally limits the operation of the plant nor sets hours of operation for the plant. However, it does limit plant operation with respect to vehicular traffic to and from the plant – primarily the trucks that transport the removed asphalt road surface to the plant to be recycled and those that take the newly manufactured asphalt from the plant for installation on the roadway being repaved. The limitation has to do with vehicular traffic related to asphalt-making operations, not the production of the asphalt itself, which can take place at any time.

Although this condition was imposed on the plant back in 1960, the City has no record of any complaints regarding violation of this condition since the plant has been in operation. Since the City's enforcement system historically has been complaint-driven, and there have been no complaints regarding vehicular traffic at the plant after dark, the City has never taken an enforcement action against the facility regarding after hours vehicular traffic.

Current Contracts

Virginia Paving currently provides asphalt paving service from its Alexandria plant for the City, the federal government, VDOT, other local governments, and the private sector. According to Virginia Paving, some of these paving contracts, including ones for the Woodrow Wilson Bridge Project, the Springfield Interchange, and Fairfax County contain requirements for paving at night in order to reduce the impact on traffic when a repaving project is in process. Virginia Paving also has contracts with the City of Alexandria. These contracts require that paving take place between 9:00 AM and 3:30 PM, but contract modifications are sometimes granted to allow paving at night. See the attached list of current contracts with the City. Asphalt paving generally requires relatively warm weather, so the spring and summer tend to be the plant's busiest months.

Citizen and City Concerns

Over the last year, with the near completion of Cameron Station as a residential neighborhood, there have been an increasing number of complaints from Cameron Station residents regarding:

- air quality
- odors
- noise
- smoke and soot

In response to these complaints, the City staff investigated potential sources of the problems, and researched the SUP, including the violation of the above condition. Staff has also focused on a series of other issues, primarily environmental, in order to require Virginia Paving to address potential environmental damage, both past and future, by the plant. Specific issues which have

been part of the investigation include:

- air emissions, including odors
- noise
- storm water management
- asphalt spillage
- maintenance
- building and fire code violations
- Resource Protection Area (RPA) buffer
- underground storage tanks
- storage and disposal of oil and hazardous materials

While the above issues pertain to industrial uses generally, and are regulated in large part by the Commonwealth, Virginia Paving's violation of its SUP gave the City the opportunity to comprehensively review and improve the facility, with the potential of bringing it to a higher level than required by its state permits. In fact, Virginia Paving is in compliance with all applicable Virginia Department of Environmental Quality standards regarding air emissions. While there was a fine assessed at one point by the EPA, this fine was related to the lack of a storm water management plan, and not to any emission from the plant. The City is investigating the compliance status of other site discharges.

Proposed Amendment to SUP

When staff reviewed Virginia Paving's violation of its condition regarding traffic limitations, it advised both the plant and residents about the violation. In response, on March 29, 2005, Virginia Paving, filed an application to amend its SUP, specifically the restriction on nighttime vehicle travel. The applicant originally sought to have its application heard in June of 2005, and to limit the scope of the hearing to the nighttime driving issue, but the hearing was deferred by staff until September in order to be able to address the broad scope of improvements that the neighbors are concerned about and that the plant seems willing to address.

Staff has viewed the SUP application as an opportunity to address plant issues that were not part of the original SUP, such as buffers to the adjacent stream, measures to control noise and odor, stormwater management, and other neighborhood impacts. Staff from Planning, T&ES, Code Enforcement and the City Attorney's Office therefore have engaged in an extended dialogue with the plant representatives, working with Virginia Paving on a broad based environmental plan directed at the environmental issues, as well as those that formed the overwhelming majority of the residents' complaints since the development of Cameron Station – air quality, smoke, odor and soot.

There is Virginia Paving environmental testing going on that will conclude in late July, and which should supply the City with sufficient data to respond accurately and fully to citizen concerns and to best fashion conditions for the continuing operation of the plant. The attached recent letter

from Mary Catherine Gibbs, counsel for Virginia Paving, outlines in detail the work that will be accomplished in response to the City's requirements.

In order to allow that work to continue, and in order to allow the plant to continue night operations to satisfy their existing contracts, including a contract for paving for the Woodrow Wilson Bridge construction project, staff has held final action on the SUP condition regarding late night or Sunday vehicular activity until Council's September public hearing meeting. Staff will be meeting with Virginia Paving representatives throughout the summer to review the specific actions to be taken regarding noise, odors, stormwater management and hours of operation.

Conclusion

The issue for Council is whether it wishes to direct staff to take action on the SUP condition immediately, which will curtail any nighttime traffic by the plant. Again, this will result in creating issues with regard to existing paving contracts. Additionally, it is anticipated that such action could further exacerbate traffic congestion when such paving is done during the day.

The Council may also determine that immediate elimination of all nighttime plant traffic is advisable, except for the most crucial public projects, such as the Woodrow Wilson Bridge and Springfield Interchange.

Alternatively, Council may wish to wait to learn the results of Virginia Paving's extensive testing and investigation over the summer, so that there is sufficient information to answer questions about environmental issues, including noise, odors, other air emissions and water management, and to act on this matter in the context of the SUP amendment application, which is now scheduled for hearing in September.

ATTACHMENTS:

Attachment 1. SUP No. 398

Attachment 2. Gibbs' June 21 letter

Attachment 3. City of Alexandria Existing Asphalt Contract Work

STAFF:

Eileen Fogarty, Director, Planning and Zoning
Richard J. Baier, P.E., Director, Transportation & Environmental Services
William Skrabak, Division Chief, Environmental Quality
Arthur Dahlberg, Code Enforcement
Ignacio Pessoa, City Attorney
Christopher Spera, Assistant City Attorney

C.M. Form No. 1

Attachment

APPLICATION

for

SPECIAL USE PERMIT, ART. X, ORD. 708

Alexandria, Va., February 10 xxx 1960 TO THE CITY MANAGER: The undersigned hereby applies for a Special Use Permit under the provisions of Article X, Ordinance 708, as Newton Asphalt Company, Incorporated follows: Name of Applicant: -Contract owner - Alexandria Bituminous Corporation Courtney Avenue, Alexandria, Va. (Map No.46, Logs 4, 4, 5, Name of Owner: (legal lots 4 -5 of courtney subd.) Premises located at: . Asphalt Plant Use requested: --miller flire is exandria Bituminous Corp. Te6-7400 (Teirphone Number) (DO NOT WRITE BELOW THIS LINE) Date of Council 7 Application received of 18/100 Fee Paid -14/10 Amount Adjoining property owners notified Advertised on Report received Referred to Planning Commission Traffic Board . Fire Prevention Building Inspector Report received March 8, 1960 -- referred to Planning Commission for further reports in re Health and public DENIED ON: . APPROVED BY COUNCIL: nuisance aspects. March 22, 1960 see over for motions 398 SPECIAL USE PERMIT ISSUED UNDER THE PROVISIONS OF ARTICLE X, ORD. 708 Permission is hereby granted to_ property located at for the following purpose: ... and under the following conditions:

(Decr)

CITY MANAGER

Applicance

1st motion -- in view of the action on Item No. 11 it would not be proper to consider this application.

2nd motion -- Deferred action on SUP #398 until the mext Regular Meeting of Council on April 12, 11960 at which time the Public Hearing will be held on the above emergency rezoning Ordinance

April 12, 1960 -- Granted, subject to the receommendations and requirements of the various City departments.

125 C

SPECIAL USE PER-IT REQUIRE EMTS SHEET

olicant	therton A	sphalt comen) - 1°00	_Applicati	on- No	378
	orth side of	Sourthey Ave.	SOU east of	Date	Paber My	26, 1365
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Requeste	d ispente	plone				
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recommenda above. To	tions of the	d by City Cour various City D Heads shall ca pplication for	epartments, Cortify that al	ommissions		as outlined

NOTE: Granting of a special use permit by Council does not constitute issuance or permission to operate. A Certificate of Occupancy must be issued by the Department of Construction and Inspection and all necessary licenses and other permits must be obtained.

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yeration of this plant requireing exit or entrance of vehicles be need after hours of darkness or during inclosent weather or an bondays olidays.

· Continued Pablic orts Department

3. Arrangements to be more with tity trajer for piving of Courtney tive, the Settlefactory settling basins to be provided to provent discharge of silt, amphalts store into back light home.

Continued insulth Department

State Health Department. (2) invisemental scritetion factors in this operation still to sheeted periodically by Health Department Saniterians. (3) In the sweet that the plant is found to be creating a public minus or a public health problem, speculates will be suspended by the company until satisfactory corrections are made in secondaries with further recommunication of the Varginia State Aurosa of industrial Hydrone and the departments.

ACIAL USE PER-II REPORT

From: Department of Planning	Application No. 398
To: Traffic (Department)	· ·
Applicant Newton Asphalt Company, Incorpora	ated - John Thorne Richards, Atty.
for Alexandria, Bituminous Corp., 102 N. Fairf.	ax St. Te 5-7400
Location Lots 2, 3, 5, 5 of Courtney av	
Courtney Avenue 400 feet east of South Van Dor	m Street
Use Requested Asphalt Plant	
This request has been set for hearing before C and it is requested that you submit a report a	
to this office not later than February 23,	
	Penis E. Cahill Director of Planning.
ACTION OF DEPART	CLYT
	Date: February 23, 1960
facts pertaining to request	and the second s
Recormendations: If request is granted, it b	e granted subject to the following
That exits and entrances to the property be a Works and Traffic.	approved by the Mirectors of Public
That, if in the opinion of the Director of Po the damages to street and keeping same clean	ablic Works, a bond should be required for , that it be required.
That all trucks serving this asphalt plant of	omply with maximum load limits.
That such signs that may be deemed appropria and the cost for installation and maintenance	te by the Director of Traffic be supplied e of same be born by the applicant.
That no operation of this plant requiring exafter hours of darkness or during inclement	it or entrance of vehicles be permitted weather or on Sundays or holidays.

FEB 22 19.6

PLANACE LEGISLAVELT

ALEXANDRIA, VIL

Jemith Winsell
K.W.Spith, Director of Traffic
Department Head

SPECIAL USE PERMIT REPORT

From: Department of Planning	Application No
To: Public works (Department)	Date February 18, 1960
Applicant Newton Asphalt Comany, Inc	
for Alexandria Bituminous Corp., 109 N. F	airfax St. Te 6-7400
Location Lots 2, 3, 4, & 5 of Courtr	ney Avenue _ north side of Courtney
Syemie 1:00 feet east of South Van	Dorn Street
Use Requested Asphalt Plant	
This request has been set for hearing bef	ore City Council on March 8, 1950
and it is requested that you submit a rep	ort and recommendation on this request
to this office not later thanF	ebruary 23, 1950 .
	1 11

Director of Planning.

ACTION OF DEPARTALNI

Date: February 19, 1960

Facts pertaining to request

Recommendations: If request is granted, it be granted subject to the following

- 1. Applicant to make necessary arrangements with Fairfax County Sanitary Sewer Dept. for sewer service.
- 2. Any realignment, dredging, or improvement of Back Lick Run to be subject to approval of Director of Public Works.
- 3. Arrangements to be made with City Manager for paving of Courtney Drive.
- 4. Satisfactory settling basins to be provided to prevent discharge of silt, asphalt, etc. into Back Lick Rum.

FEB 23 1700 PLUMENT MAKENT

Department Hear

CIAL USE PERMIT PEPORT

From: Dep	artment of Planning		Application No. 398
To:	Fire Prevention (Department)	-	Date February 18, 1960
Applicant_	Newton Asphalt Comp	any, Incorporated -	John Thorpe Richards, Atty.
for Alexar	dria Bituminous Corp.,	102 N. Fairfax Stre	eet Te 5-7400
Location_	Lots 2, 3, 4, & 5 o	f Courtney Avenue - 1	north side of Courtney
Averne ho	O feet east of South V	an Dorn Street	
Use Reques	ted Asphalt Plant		

This reque	st has been set for he	aring before City Co	ouncil on <u>March</u> 8, 1960
and it is	requested that you sub	mit a report and rec	commendation on this request
to this of	fice not later than	February 23, 1	1960
			Denis H. Cahill Director of Planning.
	AC.	TION OF DEPARTALINT	Feb. 23, 1960
N			

facts pertaining to request

Recommendations: If request is grented, it be granted subject to the following

Approved to location only- Any buildings to beconstructed plans must be submitted.

PLANK ALIXY IA, VA

Department Head

		SPECIAL USE PERSEI	REPUR!	
From: Dap	ertment of Plann	ing	Application No	398
To:	Health (Department)		Date February 1	3, 1960
Applicant_	Newton Aspha	lt Company, Incorporated -	- John Thorpe Richar	ds, Atty.
for Alexa	ndria Bituminous	Corp., 102 N. Fairfax Str	reet Te 6-7L0	<u> </u>
Location_	Lots 2, 3, L	, & 5 of Courtney Avenue -	north side of Cour	tney
Averue 40	O feet east of S	South Van Dorn Street		
Use Reques	ted Asphalt Plan	t		
This reque	st has been set	for hearing before City C	ouncil on March 3.	1960
		rou submit a report and re		
to tais of	fice not later t	thanFebruary 23,	1960	
			Denis H. Canil Director of Pl	
		ACTION OF DEPARTAINT	and the second s	The same was a same or
			Date: February	25, 1960
This compa		ecord of cooperation and dant presently located on dor and industrial waste		

956. ire. ndations: If request is granted, it be granted subject to the following

- (1) Detail plans for installation must receive approval of the Alexandria Health Department in consultation with the Bureau of Industrial Hygiene of the Virginia State Health Department.
- (2) Environmental sanitation factors in this operation shall be checked periodically by Health Department Sanitarians.
- (3) In the event that the plant is found to be creating a public muisance or a public health problem, operations will be suspended by the company until satisfactory corrections are made in accordance with further recommendation of the Virginia State Bureau of Industrial Hygiene and the Alexandria Health Department.

Attachment 2

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET ALEXANDRIA, VIRGINIA 22314-2557

HARRY P. HART MARY CATHERINE H. GIBBS HERBERT L. KARP TELEPHONE (703) 836-5757

FAX (703) 548-5443
hcgk.law@verizon.net

OF COUNSEL
CYRIL D. CALLEY

RETIRED ROBERT L. MURPHY, 2001

June 21, 2005

Via Hand-Delivery

Mr. Christopher Spera Assistant City Attorney, City of Alexandria City Hall 301 King Street, Room 1300 Alexandria, VA 22314

Re:

Virginia Paving Company Asphalt Plant, 5601 Courtney Avenue

Status Report

Dear Mr. Spera:

In further cooperation with the City of Alexandria, this letter is provided as a status report on the measures implemented or planned by Virginia Paving Company related to several issues at its Asphalt Plant located at 5601 Courtney Avenue including: 1) Air emissions; 2) Noise; 3) Water and 4) Stream Buffer/RAP pile size.

1) Air emissions:

Virginia Paving will engage the services of RAMCON Environmental, a nationally recognized expert in air emissions testing¹, to perform air emissions testing on its stacks. RAMCON did such testing last summer for Virginia Paving, and determined at that time that Virginia Paving was well within their VDEQ permitted emission levels. To respond to concerns of nearby residents regarding potential emission issues from their facilities, they will engage RAMCON to perform additional particulate testing. The tests will begin in the second week of July. Virginia Paving will make the results available to the City as soon as they are provided by RAMCON.

Virginia Paving is committed to installing emission controls that exceed the Best Available Control Technologies (BACT). They already utilize the BACT for asphalt plant

¹ RAMCON Consulting has a history of over twenty eight (28) years in air emissions testing and environmental consulting. Enclosed please find material downloaded from their website regarding their professional experience.

emissions by providing a filtration baghouse on the stacks. However, in response to concerns raised by the Staff, Virginia Paving intends to spend nearly a half a million dollars on the purchase and installation of further controls on the silo storage bins, a state-of-the-art Blue Smoke Control System, which should further eliminate emissions and odors. Virginia Paving is currently working with the manufacturer on the design of this system and anticipates issuing a purchase order for such technology by the end of July 2005. Installation of such technology, if approved by Staff, will take up to four months from that time. This technology has primarily been used in areas of California.

2) Noise/Odor:

a) Noise: Virginia Paving has engaged the services of Wyle Laboratories² to do a comprehensive noise study of the associated noises affiliated with its operation. Testing will take place for twenty four hours a day for a five to seven day period beginning on Wednesday, June 22, 2005, and will test the various noise levels at several boundaries of the site, most importantly those closest to the residential areas near the site. Train noise will also be measured and compared to provide on-site vs. off-site noise and source comparison. The results of those tests will be made available to the City as soon as Virginia Paving receives them.

Virginia Paving has already taken steps to limit the noise associated with its operation. The plant already provides an enclosed air burner designed to capture most of the noise from the production process and absorb it internally. Additionally, sound attenuators or mufflers on batchers have been installed to diminish noise from the plant. Virginia Paving has taken other steps to limit the noise associated with its operation at night by not unloading from freight cars during nighttime hours. Virginia Paving has also installed signs at its site ordering the truck drivers to take care to limit noise from their own trucks on the site at night. Virginia Paving is looking into modifying the routes taken by the trucks within the site to limit the need for the back-up beeper. In addition, Virginia Paving is generating a train receiving log to monitor track aggregate delivery times.

b) Odor: On June 14, 2005, Virginia Paving installed an automated mixture system that feeds an odor absorbing material, Ecosorb, into the production process and helps eliminate odors from the asphalt mixing process. In fact, operation personnel have reported a noticeable difference in the smell around the plant since last week. In addition, Virginia Paving's installation of better than BACT technology on the top of the silos will further eliminate odors from being released based upon the advanced controls installed to eliminate fugitive emissions.

² Wyle Laboratories, Acoustic Research and Consulting, is located at 2001 Jefferson Davis Highway, Suite 701, Crystal Plaza, Arlington, VA 22202. Enclosed find material from their website regarding their experience.

³ Aggregate which is delivered via these freight cars is merely a combination of small and large rocks, not coal.

3) Storm Water Management:

As part of the Full Environmental Baseline Study obtained by Virginia Paving through an independent environmental consultant, Greenfield International Corporation⁴, and submitted to the City on March 31, 2005, Virginia Paving has developed a proposed Storm Water Management Plan that includes the installation of a super silt fence, a stone filter, a settling basin and an oil/water separator, as well as additional berming and channeling of water to the settling basin. A proposed Storm Water Management Plan was submitted to the City on June 20, 2005 for review and comment. Virginia Paving has committed to achieving Best Management Practices for automotive related uses as requested by the City. Virginia Paving is committed to install a full functioning storm water management system within 6 months of receiving approval from the City for their plan/design.

Virginia Paving has already taken the following measures to improve storm water runoff conditions prior to implantation of the full Storm Water Management Plan as well as beautifying the stream itself:

- a) As part of the Adopt-A-Stream program in the Commonwealth of Virginia, Virginia Paving, Virginia Paving's walks a ¼ mile stretch of Backlick Run twice a year to clean up the stream bed of trash and other materials.⁵
- b) Best Management Practices (BMPs), identified in Virginia Paving's "Short Term Work Plan," submitted to the City on February 4, 2005, for stormwater runoff are being utilized in interim prior to sediment basin design approval and construction. Virginia Paving has provided a temporary settling basin with check dams to slow stormwater. The storm water runoff is filtered through a silt fence initially, and then an infiltration bed of crushed stone.
- c) Virginia Paving has a current Stormwater Pollution Prevention Plan (SWPPP) and VPDES General Permit for Storm Water Discharge Associated with Industrial Activity in place. The SWPPP sets out measures to reduce and eliminate the discharge of contaminated storm water.

4) Stream Buffer/RAP pile size:

Virginia Paving has committed to increasing the current buffer between its RAP pile and the top of the streambed of Backlick Run to 25 feet at a minimum by September 1, 2005 and to install landscaping within that buffer area in consultation with City Staff. Virginia Paving has already begun to move the pile back from where it has historically been located and has hired a landscape architect to draft a landscape plan for submission by mid- to late-July, 2005. Virginia Paving is also committed to installing an earth berm upon design approval.

⁴ Enclosed please find material from Greenfield's website regarding their professional experience.

⁵ A copy of Virginia Paving's certificate from the Adopt-A-Stream program is also enclosed.

5) Conclusion:

Virginia Paving has taken significant steps to maintain and even improve the condition at its Asphalt Plant at 5601 Courtney Avenue which is in compliance with all of its State DEQ and Federal EPA permits for all matters, including emissions. We note that Virginia Paving's 2004 EPA citation was for a violation for not having a Stormwater Pollution Prevention Plan, and for no other reason. Virginia Paving has provided the EPA with such a plan, paid a fine, and is now in compliance. In this one of the last remaining industrial areas of this City, Virginia Paving has committed to being an even better neighbor by installing measures that exceed the Best Available Control Technologies for its industry, including state-of-the-art Blue Smoke technology on its silos. It is important to note that Virginia Paving is located within approximately half-mile radius of at least six other industrial uses in close proximity to the residences that have been built within the last five years, including two State landfills, a Virginia Department of Transporation operations facility, Vulcan Materials Company, and the City's Waste to Energy Plant. This remains a vibrant industrial area.

Virginia Paving remains committed to making any and all improvements to their operation deemed necessary to maintain and/or exceed the best available control technologies for this site. Virginia Paving encourages the City to continue to visit and observe the improvements that have already been made, and will continue to be made. Please do not hesitate to contact me with any questions or comments.

Very truly yours,

Mary Catherine Gibbs

Enclosures

cc:

Mr. Richard Josephson, Deputy Director, Planning & Zoning

Mr. Richard Baier, Director, T&ES

Mr. Dennis A. Luzier, Plant Manager, Virginia Paving Company

Mr. Mark A. Schiller, Assistant District Manager, Virginia Paving Company

Mr. Jay S. Cruickshank, Vice President Legal and Safety, The Lane Construction Corp.

⁶ See the Full Environmental Baseline Study at page 7. A copy of the closure letter from the EPA is also enclosed. In 1983, A Leaking Underground Storage Tank (LUST) was discovered on the site, and in accordance with the corrective action plan (CAP) #168, it is expected that clean closure for this LUST site will be achieved by September 2005.



Site Navigation U

ASPHALT

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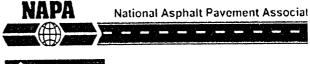




RAMCON Environmental has a history of over twenty eight (28) years in air emissions testing and environmental consulting. RAMCON Environmental has the capability to provide testing professionals and consulting engineers for the most demanding projects. We know the regulations, the methods, the equipment and the processes. We are driven to excel, demanding more of ourselves than required.

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Driven to Excellence in Service

RAMCON Environmental, the professionals, the specialists suited to meet your Environmental Consulting and Air Emissions Testing needs.

- 1. Experienced Consultants in NSPS, PSD, BACT, MACT, RCRA, CERCLA, NESHAP, and SARA 313 for reporting requirements, equipment modification, and compliance.
- 2. Full capability air emissions measurement services including preparation and submittal of pre-test sampling protocols, regulatory compliance and consultation.
- 3. Real-time measurement of THC, SO2, CO, NOx, O2, and CO2 providing on-site test results with continuous emission gas analyzers.
- 4. Relative Accuracy Test Audits (RATA) for continuous emission monitoring systems as established in EPA Part 60 Performance











Specifications and EPA Part 75 regulations.

- 5. Predictive Emissions Monitoring System (PEMS) development and certification using neural network technology. (Pavilion Technologies, Inc. Software CEM)
- 6. Gas Chromatography analysis using direct interface (on-site) sampling technique for Hazardous Air Pollutants, Total Reduced Sulfur (TRS), Specific VOC's for all industry categories.
- 7. Isokinetic measurement of Particulate Matter, Multi-metals, Dioxins/Furans, PAH's, PCB's, semi-volatiles, Aldehydes/Ketones, Ammonia, and Acid gases.
- 8. Air emissions compliance determinations for many process types and designs including Boilers, Furnaces, Catalytic Cracking Units, Turbines, Incinerators, Kilns, Dryers, Reactors, and Distillation Columns.
- 9. Efficiency determinations for all major air pollution control systems and technologies: Baghouses, Scrubbers, Cyclones, Electrostatic precipitators, Afterburners, and RTO's.
- 10. Complete knowledge of the ever changing regulations and how they effect your facility.



Site Navigation 🔱

PULP AND PAPER PETRO / CHEMICAL OTHER INDUSTRIES CONTACT US RAMCON CONSULTING HOME







ASPHALT

RAMCON Environmental has performed literally thousands of stack testing and consulting projects on Batch, Drum-Mix, and Hybrid asphalt facilities; ranging from Wet-scrubber and fabric filter technology, alternative fuel applications, and storm water requirements. RAMCON is considered the industry standard for air emissions sampling and consulting in the materials industry. Providing sampling and consulting for 28 years. RAMCON Environmental has been an active member of NAPA for 25 years providing support and guidance for environmental challenges facing the industry.

Manufacturers of Asphalt facilities often request our service for performance testing of new installations.

- Astec
- Cedar Rapids
- <u>CMI</u>
- ALMix

RAMCON Environmental services include:

- · Set-up consulting
- · Process optimization
- Stack testing
- Permit application
- Annual report requirements



NATIONAL ASPHALT PAVEMENT ASSOCIATION

RamcorW.D. Sawyer 1625 HWY 70, Kingston Springs, TN 37082 (615) 952-5461 Office • (615) 952-5411 Fax



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<u>Dicerno™</u> - State-of-the-Art Environmental Management Software.

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The Wyle Acoustics Group provides a wide range of professional services concerned principally with acoustics, vibration, and their allied technologies, including services to the aviation industry. Since its inception in 1963, Wyle has completed thousands of projects in areas as diverse as aircraft noise, railroad and railyard noise, acoustical design of buildings, highway noise, sonic boom studies, research into the effects of noise on people, specialized noise and vibration studies, and active noise control.

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Wyle's goal is to understand each client's unique goals and requirements and to continually strive to provide each client with innovative, yet practical and cost-effective, solutions. Wyle maintains an international reputation for technical excellence as they continue to serve clients as diverse as:

- NASA
- Federal Aviation Administration
- Aerospace industry
- U.S. National Park Service
- Airports
- Federal, state, and local government agencies
- U.S. Navy, Air Force and Army
- Industrial and manufacturing organizations
- Railroad industry
- · Architects, engineers, and planners

Wyle provides services in the following areas:

- Acoustic Research
- Active Noise Reduction
- Architectural Acoustics
- Aviation Noise Modeling
- Aviation Services
- Environmental Noise



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(Photo courtesy of

- Industrial Noise Control
- Military Operations
- Surface Transportation

Also, check the following for:

- Job Openings <u>Arlington, VA</u> <u>El Segundo, CA</u> <u>Chicago, IL</u>
- Contact Information

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::About Us >> Our Capabilities::

Greenfield International, a woman and minority owned company, was established in 1994. We are a comprehensive environmental management, engineering, technical, and remedial services company. Greenfield International consists of a diverse team of associates including environmental managers, engineers, scientists, and specialists. Our team of professionals average over 20 years of direct professional level environmental experience. This team provides extensive environmental consulting services in environmental program and project management. Our capabilities and services include environmental policy development and strategic planning, requirements and risk determinations, program and project development, implementation and support, budget and funding determinations, operational and environmental investigation, risk assessment, mitigation, engineering, design, and monitoring, and program and project assessment, auditing, and quality assurance.

Greenfield International has extensive experience in developing, implementing, and executing environmental programs and mitigative measures in private and commercial operations, academic and research institutions, and Federal, State, and local programs including the Department of Defense. Our success continues to be founded on our unparalleled ability to rapidly assess environmental requirements, determine where real risks exist, and institute efficient, technically, and economically sound solutions to environmental challenges faced by all organizations in today's environmentally sensitive cultural and business climate.

Greenfield International has identified considerable cost savings within existing agencies' environmental programs, and saved our clients millions of dollars while assisting them in the efficient and effective management and mitigation of environmental and occupational hazards. Rapidly assessing real risk and proactive allocation of resources is our main effort to help eliminate negative environmental conditions and concerns. We provide the client with a full compliment of environmental services allowing a streamlined proactive approach to environmental hazard identification and mitigation.

Our Vision

Environmental considerations are an integral part of routine business for all organizations today. Successful businesses have operating and capital investment budgets for environmental assessment and control...

أدخان

Key individuals

- Soe Aung
- Thidar LwinJohn Love
- King Troensegaard
- Thein Aung
- Win Pe

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Stewardship Virginia

Virginia Paving Company's Alexandria Asphalt Facility

stewardship have contributed to conserving and enhancing Virginia's lands and waters. Your contribution helps Thank you for taking part in Stewardship Virginia. Your spirit of volunteerism and commitment to citizen ensure the health of our waterways for present and future generations.

May 26, 2005

date





W. Tayloe Murphy, Jr.

Secretary of Natural Resources

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ret. + J3C

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75. TO		TATES ENVIRONMENTAL PROTECTION AGENCY	<i>دد</i> :	MAG
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	Legal Department	.		COM
	y S. Cruickshank, andustries Incorpora	vice President Legal		urh GAB
	ast Main Street	<u>-</u>		حامی
	en, CT 06450			

Re:

Amended Administrative Order Docket No. CWA-03-2004-0064DN NPDES Permit No. PAR706118

Dear Mr. Cruickshank:

This agency has completed a review of its enforcement docket. Based on that review, the above referenced Administrative Order is officially closed.

We look forward to your continued compliance. Any noncompliance with your National Pollutant Discharge Elimination System (NPDES) pennit or the Clean Water Act (CWA) could result in the initiation of an enforcement action against you pursuant to the federal enforcement provisions set forth in Section 309(a) of the CWA, 33 U.S.C. Section 1319(a).

Thank you for your cooperation in this matter. If you have any questions, please contact Ms. Gilda Coker at (215) 814-5432.

Sincerely,

Cinge Mitale

Angela McFadden, Acting Chief NPDES Branch Office of Compliance and Enforcement

cc: John D. Bowden, Northern Region VA DEQ James R. Collier, DC DOH Terry Pallas, PA DEP

City of Alexandria Existing Asphalt Contract Work - Summer/Fall 2005

- $\label{eq:King-state} \begin{aligned} & King from \sim Janneys \ to \ Walnut \\ & Van \ Dorn Edsall \ to \ Duke \end{aligned}$
- Henry Queen to Duke
- Patrick Queen to Duke Duke Daingerfield to Henry

34c 6-28-05

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET ALEXANDRIA, VIRGINIA 22314-2557

HARRY P. HART MARY CATHERINE H. GIBBS HERBERT I., KARP

TELEPHONE (703) 836-5757

FAX (703) 548-5443

hcgk.law@verizon.net

June 28, 2005

OF COUNSEL CYRIL D. CALLEY

RETIRED ROBERT L. MURPHY, 2001

Via Hand-Delivery

Mayor William D. Euille and Members of City Council c/o City Clerk and Clerk of Council 301 King Street, Room 2300 Alexandria, VA 22314

Re:

Docket Item #34c

June 28, 2005 City Council Meeting

Dear Mr. Mayor and Members of City Council:

This firm represents Virginia Paving, the current owner and operator of an asphalt facility in use in the city for some 45 years. Virginia Paving has been working for several months with members of the City's Planning & Zoning, Transportation & Environmental Services, and the City Attorney's offices. Over several collegial sessions, we have listened to and acknowledged the need to address the concerns of the City and its citizens as expressed to us by Staff.

Virginia Paving desires to be a good neighbor to the increased residential density surrounding it, and recognizes that some revisions of its operating procedures may be necessary. However, as an ongoing enterprise with current contractual obligations (including to the City of Alexandria), it also requires time to formulate and implement those changes which will have the most beneficial effect on all concerned. Further, several of the steps the City Staff has endorsed Virginia Pavingr taking involve environmental studies, including runoff, noise, and particulates. These require some time to complete and analyze, a fact which various City agencies and Staff members have acknowledged. (See Hartmann memo, p. 3-4).

As Virginia Paving continues to work in good faith with the City, we simply ask that the City Council let Staff do the same. We believe it is proper, as well as most effective in achieving an end result, to honor the initial suggestion of Staff and defer any action on the Virginia Paving SUP until the Council reconvenes in September. (See Hartmann memo, p. 4).

If Council chooses Option B of the City Manager's recommendations, Virginia Paving requests that you instruct Staff to phase-in the action. Phasing-in will permit Virginia Paving to make the appropriate accommodations to its operations to comply with Council's action, as this is different from what was originally suggested by Staff as part of the deferral. It is important for Council to be aware that there are substantial financial implications to this action as well as the potential for logistical impacts on City Streets.

As always, Virginia Paving remains committed to continuing to work with the City towards a reasonable solution in this case.

Very truly yours,

Mary Catherine H. Gibbs

MCG/eah

cc: Mr. Richard Josephson, Deputy Director, Planning & Zoning

Mr. Richard Baier, Director, T&ES

Mr. Christopher Spera, Assistant City Attorney

Mr. Dennis A. Luzier, Plant Manager, Virginia Paving Company

Mr. Mark A. Schiller, Assistant District Manager, Virginia Paving Company

Mr. Jay S. Cruickshank, Vice President Legal and Safety, The Lane Construction Corp.

34 C 6-28-05



J Bennett <jb900@yahoo.com> 06/25/2005 06:57 PM

Bill Euille <alexvamayor@aol.com>, Ludwig Gaines
To <councilmangaines@aol.com>, Rob Krupicka
<rob@krupicka.com>, Andrew Macdonald
Jackie Henderson < jackie.henderson@ci.alexandria.va.us>, Eileen

cc Fogarty <eileen.fogarty@ci.alexandria.va.us>, Richard Baier <rich.baier@ci.alexandria.va.us>, Jim Hartmann

bcc

Subject What To Do About Virginia Paving

Dear Mayor and City Council:

We understand that at your meeting next Tuesday you will be reviewing a report from Staff, possibly with recommendations, concerning Virginia Paving. There is no question of interpretation - Virginia Paving is clearly, deliberately and flagrantly violating its current SUP relating to operating hours. Virginia Paving admits it and its intention to continue to operate at hours outside its SUP. Staff has been aware of it since at least June 30, 2004 and is permitting it to happen. And of course we are well aware of it. So there's no question of if it is occurring or if it is a violation.

We believe the appropriate course of action for the City to take is:
1) Instruct Virginia Paving to abide by its current SUP starting now and take enforcement action if need be to bring them into compliance.

2) Tell Virginia Paving that they must bring their operations into conformance with health, safety and environmental standards if they wish to continue to operate in Alexandria. Be prepared to take enforcement action if need be.

We believe a very bad precedent would be set if the City did not enforce an SUP when there is such a flagrant and openly admitted violation since it would send the wrong signal to others that they too can violate their SUP's as long as they make a request to amend it and thereby seek to make their violations legal.

We appreciate your attention to this matter and your recognition of its importance. Your strong stance on SUP enforcement will send a positive message to our community and others and will establish a clear message of the City's policy, practice and expectations.

Sincerely,

Joe Bennett, President Cameron Station Civic Association, Inc.

City of Alexandria, Virginia

MEMORANDUM

DATE:

JUNE 27, 2005

TO:

THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

JAMES K. HARTMANN, CITY MANAGER

SUBJECT:

VIRGINIA PAVING ASPHALT PLANT, 5601 COURTNEY AVENUE

ISSUE: Citizen complaints regarding vehicular traffic at the Virginia Paving asphalt plant in violation of the terms of the plant's Special Use Permit.

RECOMMENDATION: That City Council ask staff to take one of the following actions:

A. Take immediate action on the SUP #398's prohibition on nighttime vehicle activity at the Virginia Paving facility; or

B. Take immediate action on the SUP #398's prohibition on nighttime vehicle activity, except as to that work which is most critical for the public health, safety and welfare, such as work on the Woodrow Wilson Bridge: or

C. Require Virginia Paving to complete the environmental review and testing it has agreed to perform, hold the SUP for hearing in September, and delay enforcement of the condition until that time.

<u>DISCUSSION</u>: During the public comment portion of Council's June 21, 2005, public hearing, representatives of Cameron Station asked Council to act immediately on the conditions of Virginia Paving Company's SUP. Council requested this memorandum and that staff address these complaints at Council's June 28 meeting.

Virginia Paving SUP Condition

Virginia Paving, formerly Newton Asphalt, has been in operation in the City at its current location for 45 years. It is located on Courtney Avenue, east of South Van Dorn Street just south of the intersection with South Pickett Street.

SUP Violation

When the asphalt plant was established in Alexandria, it required Council approval by SUP. SUP No. 398 (attached), approved in 1960, contains the following language, which is one of the few

limitations included in the permit, and which was recommended as a matter of traffic safety by the City's Director of Traffic:

That no operation of this plant requiring exit or entrance of vehicles be permitted after hours of darkness or during inclement weather or on Sundays or holidays.

The restriction neither generally limits the operation of the plant nor sets hours of operation for the plant. However, it does limit plant operation with respect to vehicular traffic to and from the plant – primarily the trucks that transport the removed asphalt road surface to the plant to be recycled and those that take the newly manufactured asphalt from the plant for installation on the roadway being repaved. The limitation has to do with vehicular traffic related to asphalt-making operations, not the production of the asphalt itself, which can take place at any time.

Although this condition was imposed on the plant back in 1960, the City has no record of any complaints regarding violation of this condition since the plant has been in operation. Since the City's enforcement system historically has been complaint-driven, and there have been no complaints regarding vehicular traffic at the plant after dark, the City has never taken an enforcement action against the facility regarding after hours vehicular traffic.

Current Contracts

Virginia Paving currently provides asphalt paving service from its Alexandria plant for the City, the federal government, VDOT, other local governments, and the private sector. According to Virginia Paving, some of these paving contracts, including ones for the Woodrow Wilson Bridge Project, the Springfield Interchange, and Fairfax County contain requirements for paving at night in order to reduce the impact on traffic when a repaving project is in process. Virginia Paving also has contracts with the City of Alexandria. These contracts require that paving take place between 9:00 AM and 3:30 PM, but contract modifications are sometimes granted to allow paving at night. See the attached list of current contracts with the City. Asphalt paving generally requires relatively warm weather, so the spring and summer tend to be the plant's busiest months.

Citizen and City Concerns

Over the last year, with the near completion of Cameron Station as a residential neighborhood, there have been an increasing number of complaints from Cameron Station residents regarding:

- air quality
- odors
- noise
- smoke and soot

In response to these complaints, the City staff investigated potential sources of the problems, and researched the SUP, including the violation of the above condition. Staff has also focused on a series of other issues, primarily environmental, in order to require Virginia Paving to address potential environmental damage, both past and future, by the plant. Specific issues which have

been part of the investigation include:

- air emissions, including odors
- noise
- storm water management
- asphalt spillage
- maintenance
- building and fire code violations
- Resource Protection Area (RPA) buffer
- underground storage tanks
- storage and disposal of oil and hazardous materials

While the above issues pertain to industrial uses generally, and are regulated in large part by the Commonwealth, Virginia Paving's violation of its SUP gave the City the opportunity to comprehensively review and improve the facility, with the potential of bringing it to a higher level than required by its state permits. In fact, Virginia Paving is in compliance with all applicable Virginia Department of Environmental Quality standards regarding air emissions. While there was a fine assessed at one point by the EPA, this fine was related to the lack of a storm water management plan, and not to any emission from the plant. The City is investigating the compliance status of other site discharges.

Proposed Amendment to SUP

When staff reviewed Virginia Paving's violation of its condition regarding traffic limitations, it advised both the plant and residents about the violation. In response, on March 29, 2005, Virginia Paving, filed an application to amend its SUP, specifically the restriction on nighttime vehicle travel. The applicant originally sought to have its application heard in June of 2005, and to limit the scope of the hearing to the nighttime driving issue, but the hearing was deferred by staff until September in order to be able to address the broad scope of improvements that the neighbors are concerned about and that the plant seems willing to address.

Staff has viewed the SUP application as an opportunity to address plant issues that were not part of the original SUP, such as buffers to the adjacent stream, measures to control noise and odor, stormwater management, and other neighborhood impacts. Staff from Planning, T&ES, Code Enforcement and the City Attorney's Office therefore have engaged in an extended dialogue with the plant representatives, working with Virginia Paving on a broad based environmental plan directed at the environmental issues, as well as those that formed the overwhelming majority of the residents' complaints since the development of Cameron Station – air quality, smoke, odor and soot.

There is Virginia Paving environmental testing going on that will conclude in late July, and which should supply the City with sufficient data to respond accurately and fully to citizen concerns and to best fashion conditions for the continuing operation of the plant. The attached recent letter

from Mary Catherine Gibbs, counsel for Virginia Paving, outlines in detail the work that will be accomplished in response to the City's requirements.

In order to allow that work to continue, and in order to allow the plant to continue night operations to satisfy their existing contracts, including a contract for paving for the Woodrow Wilson Bridge construction project, staff has held final action on the SUP condition regarding late night or Sunday vehicular activity until Council's September public hearing meeting. Staff will be meeting with Virginia Paving representatives throughout the summer to review the specific actions to be taken regarding noise, odors, stormwater management and hours of operation.

Conclusion

The issue for Council is whether it wishes to direct staff to take action on the SUP condition immediately, which will curtail any nighttime traffic by the plant. Again, this will result in creating issues with regard to existing paving contracts. Additionally, it is anticipated that such action could further exacerbate traffic congestion when such paving is done during the day.

The Council may also determine that immediate elimination of all nighttime plant traffic is advisable, except for the most crucial public projects, such as the Woodrow Wilson Bridge and Springfield Interchange.

Alternatively, Council may wish to wait to learn the results of Virginia Paving's extensive testing and investigation over the summer, so that there is sufficient information to answer questions about environmental issues, including noise, odors, other air emissions and water management, and to act on this matter in the context of the SUP amendment application, which is now scheduled for hearing in September.

ATTACHMENTS:

Attachment 1. SUP No. 398

Attachment 2. Gibbs' June 21 letter

Attachment 3. City of Alexandria Existing Asphalt Contract Work

STAFF:

Eileen Fogarty, Director, Planning and Zoning
Richard J. Baier, P.E., Director, Transportation & Environmental Services
William Skrabak, Division Chief, Environmental Quality
Arthur Dahlberg, Code Enforcement
Ignacio Pessoa, City Attorney
Christopher Spera, Assistant City Attorney

Attachment / 9
APPLICATION

for
SPECIAL USE PERMIT, ART. X, ORD. 708

SPECIA	P OOF I BIGHT	
		Alexandria, Va., February 10 xxxx 1960
TO THE CITY MANAGER:		
The undersigned hereby app		t under the provisions of Article X, Ordinance 708, as
follows: Neme of Applicant: Neme	wton Asphalt Compa	ny, Incorporated
Co	ntract owner - Ale	xandria Bituminous Corporation
Premises located at:Co	urtney Avenue, Ale	xandria. Va. (Map No.46, Lots 7, 5,
Δ <	phalt Plant	a loter +5 of country subd.)
Use requested:		- 11111 31
miller		The Richard
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		Atty for Alexandria Bituminous Cor
		Te6-7400
(DO NOT WRITE BEL	OW THIS LINE)	(Terphone Number)
Application received of 18/10		Date of Council - Hearing
Application received of 18/10	Adjoining property	
Advertised on		Report received
Referred to Planning Commissio	- /	1/23//
Traffic Board	2/18/10	Report received 1/2/20
Flesh Dept.	7/14/10	Report received 3/1/12
Fire Prevention	21/3/10	Report received
Bailding Inspector .	2/18/60	Report received of 33/00
Pablic Works	3/18/60	Report received 2/23/60
APPROVED BY COUNCIL:	nuisance aspects	on for further reports in re Bealth and public DENIED ON:
March 22, 1960	see over for motions	398
	SPECIAL U	SE PERMIT No
ISSUE	D UNDER THE PROVISI	IONS OF ARTICLE X, ORD. 708
Permission is hereby gra	ated to	to use
property located at	•	RECEIVED
	•	CITY CLERK'S OFFICE
for the following purpose:		1117 7 150
		From Alles recon
and under the following conditi	ons:	For Alisted 3-V-Ger
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		CITY MANAGER
(Decr)		-

lst motion -- in view of the action on Item No. 11 it would not be proper to consider this application.

2nd motion -- Deferred action on SJP #398 until the next Regular Heeting of Council on April 12, 11960 at which time the Public Hearing will be held on the above emergency rezoning Ordinance

April 12, 1960 -- Granted, subject to the receommendations and requirements of the various City departments.

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			SPECIAL US	e per-it e	exuire ents	SHEET			
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NOTE: Granting of a special use permit by Council does not constitute issuance or permission to operate. A Certificate of Occupancy must be issued by the Department of Construction and Inspection and all necessary licenses and other permits must be obtained.

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State Health Department, (2) inclumental scritction fortors in this operation shall be exceeded periodically by Health Department Smiterians, (3) In the event shall be plant is found to be creating a public mineage or a public health problem, speculious will be suspended by the company until satisfactory corrections are more in sometimes with further recommunication of the Varginia State Survey of Industrial Systems and the Sammiria Sealth Separatment.

ECIAL USE PERMIT REPORT

From: Department of Planning Application No. 398
To: Traffic Date February 18, 1960 (Department)
Applicant Newton Asphalt Commany, Incorporated - John Thorne Richards, Atty.
for Alexandria, Bituminous Corp., 102 N. Fairfax St. Te 5-7500
Location Lots 2, 3, b, b 5 of Courtney avenue - north side of
Courtney Avenue 600 feet east of South Van Dorn Street
Use Requested Asphalt Flant
This request has been set for hearing before City Council on March 8, 1960
and it is requested that you submit a report and recommendation on this request
to this office not later than February 23, 1950
Venis E. Cahill Director of Planning.
ACTION OF DEPARTAINT
Facts pertaining to request
Recommendations: If request is granted, it be granted subject to the following
That exits and entrances to the property be approved by the Directors of Public Works and Traffic.
That, if in the opinion of the Director of Public Works, a bond should be required for the dazages to street and keeping same clean, that it be required.
That all trucks serving this asphalt plant comply with maximum load limits.
That such signs that may be deemed appropriate by the Director of Traffic be supplied and the cost for installation and maintenance of same be born by the applicant.
That no operation of this plant requiring exit or entrance of vehicles be permitted after hours of darkness or during inclement weather or on Sundays or holidays.

FEB 22 15.6

PLULY LEGISTER

ALTERNITRIA VIL

Semille Wilmell

K.W.Srith, Director of Traffic

Department Head

SPECIAL USE PERMIT REPORT

From: Depar	tment of Planning	Application No
To: ?	ublic Works Department)	Date February 15, 1960
Applicant	newton Asphalt Commany, In	corporated - John Thorpe Richards, Atty.
for Alexand	iria Bituminous Corp., 102 N.	Fairfax St. Te 6-7400
Location	Lots 2, 3, 4, & 5 of Court	ney Avenue _ north side of Courtney
170	me 1.00 feet east of South Var	Dom Street
Use Request	ed Asphalt Plant	
-		
_		fore City Council on <u>March 8, 1960</u>
and it is re	equested that you submit a rep	port and recommendation on this request
to this off	ice not later thanF	ebruary 23, 1950
		Denis H. Cahill Director of Planning.

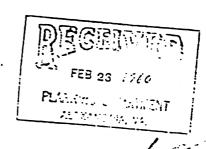
ACTION OF DEPARTAINT

Date: February 19, 1960

Facts pertaining to request

Recommendations: If request is granted, it be granted subject to the following

- Applicant to make necessary arrangements with Fairfax County Sanitary Sever Dept. for sever service.
- 2. Any realignment, dredging, or improvement of Back Lick Run to be subject to approval of Director of Public Works.
- 3. Arrangements to be made with City Manager for paving of Courtney Drive.
- 4. Satisfactory settling basins to be provided to prevent discharge of silt, asphalt, etc. into Back Lick Run.



Caparument near

CIAL USE PER-IT PEPORT

Lepartmen	of Planning	Application No. 398
To: Fir	e Prevention rtment)	DateFebruary 18, 1950
Applicant New	ton Asphalt Company, Incorporate	ed - John Thorpe Richards, Atty,
for Alexandria B	ituminous Corp., 102 N. Fairfax	Street 2= 5-71:00
Location Lot	s 2, 3, 1, & 5 of Courtney avenu	e - north side of Courtney
	east of South Van Dorn Street	
Use Requested Aspl	nalt Plant	
This request has	bean set for hearing before City	y Council on Varri 8 1060
end it is request	ed that you submit a report and	Facoumendution on this request
to this office no	t later thanFebruary 23	3, 1960
		Denis H. Cahill Director of Planning.
	ACTION OF DEPARTALIN	T Fab C
		Feb. 23, 1960
Facts pertaining	ယ request	

Approved to location only- Any buildings to beconstructed - plans must be submitted.

PLANIA IA VA

Department Head

SPECIAL USE PER-IT REPORT

From: Department of Planning	Application No. 398			
To: Health				
(Department)	Date February 13, 1960			
Applicant Newton Asphalt Company, Incorporated	- John Thorpe Richards (****			
for Alexandria Bituminous Corp., 102 N. Fairfax St.	reet Te 5-71-00			
Location Lots 2, 3, 4, 4 5 of Courtney Avenue -	- north side of Courtney			
Averue LOO feet east of South Van Dorn Street				
Use Requested Asphalt Plant				
This request has been set for hearing before City Council on Karch 3, 1950				
and it is requested that you submit a report and recommendation on this request				
to tais office not later than February 23, 1960				
	·			
	Venis 1 Eafel			
•	Denis H. Caill			
•	Director of Planning.			
ACTION OF DEPARTAINT				
(Date: February 25, 1960			
Facts pertaining to request				
This company has a good record of cooperation and compliance with Health Department recommendations. Their plant presently located on Mill Road was remodeled in July 1956.				
Control of dust smoke	ALLE RUBEL WES IN MODEL ed in Title			
Recommendations: If request is granted, it be grant	ed subject to the following			

- (1) Detail plans for installation must receive approval of the Alexandria Health Department in consultation with the Bureau of Industrial Hygiene of the Virginia
- (2) Environmental sanitation factors in this operation shall be checked periodically by Health Department Sanitarians.
- (3) In the event that the plant is found to be creating a public muisance or a public health problem, operations will be suspended by the company until satisfactory corrections are made in accordance with further recommendation of the Virginia State Bureau of Industrial Hygiene and the Alexandria Health Department.

J. D. M. Gough.
Department Head

Attachment 2

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET ALEXANDRIA, VIRGINIA 22314-2557

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June 21, 2005

Via Hand-Delivery

Mr. Christopher Spera
Assistant City Attorney, City of Alexandria
City Hall
301 King Street, Room 1300
Alexandria, VA 22314

Re:

Virginia Paving Company Asphalt Plant, 5601 Courtney Avenue

Status Report

Dear Mr. Spera:

In further cooperation with the City of Alexandria, this letter is provided as a status report on the measures implemented or planned by Virginia Paving Company related to several issues at its Asphalt Plant located at 5601 Courtney Avenue including: 1) Air emissions; 2) Noise; 3) Water and 4) Stream Buffer/RAP pile size.

1) Air emissions:

Virginia Paving will engage the services of RAMCON Environmental, a nationally recognized expert in air emissions testing¹, to perform air emissions testing on its stacks. RAMCON did such testing last summer for Virginia Paving, and determined at that time that Virginia Paving was well within their VDEQ permitted emission levels. To respond to concerns of nearby residents regarding potential emission issues from their facilities, they will engage RAMCON to perform additional particulate testing. The tests will begin in the second week of July. Virginia Paving will make the results available to the City as soon as they are provided by RAMCON.

Virginia Paving is committed to installing emission controls that exceed the Best Available Control Technologies (BACT). They already utilize the BACT for asphalt plant

¹ RAMCON Consulting has a history of over twenty eight (28) years in air emissions testing and environmental consulting. Enclosed please find material downloaded from their website regarding their professional experience.

emissions by providing a filtration baghouse on the stacks. However, in response to concerns raised by the Staff, Virginia Paving intends to spend nearly a half a million dollars on the purchase and installation of further controls on the silo storage bins, a state-of-the-art Blue Smoke Control System, which should further eliminate emissions and odors. Virginia Paving is currently working with the manufacturer on the design of this system and anticipates issuing a purchase order for such technology by the end of July 2005. Installation of such technology, if approved by Staff, will take up to four months from that time. This technology has primarily been used in areas of California.

2) Noise/Odor:

a) Noise: Virginia Paving has engaged the services of Wyle Laboratories² to do a comprehensive noise study of the associated noises affiliated with its operation. Testing will take place for twenty four hours a day for a five to seven day period beginning on Wednesday, June 22, 2005, and will test the various noise levels at several boundaries of the site, most importantly those closest to the residential areas near the site. Train noise will also be measured and compared to provide on-site vs. off-site noise and source comparison. The results of those tests will be made available to the City as soon as Virginia Paving receives them.

Virginia Paving has already taken steps to limit the noise associated with its operation. The plant already provides an enclosed air burner designed to capture most of the noise from the production process and absorb it internally. Additionally, sound attenuators or mufflers on batchers have been installed to diminish noise from the plant. Virginia Paving has taken other steps to limit the noise associated with its operation at night by not unloading from freight cars during nighttime hours. Virginia Paving has also installed signs at its site ordering the truck drivers to take care to limit noise from their own trucks on the site at night. Virginia Paving is looking into modifying the routes taken by the trucks within the site to limit the need for the back-up beeper. In addition, Virginia Paving is generating a train receiving log to monitor track aggregate delivery times.

b) Odor: On June 14, 2005, Virginia Paving installed an automated mixture system that feeds an odor absorbing material, Ecosorb, into the production process and helps eliminate odors from the asphalt mixing process. In fact, operation personnel have reported a noticeable difference in the smell around the plant since last week. In addition, Virginia Paving's installation of better than BACT technology on the top of the silos will further eliminate odors from being released based upon the advanced controls installed to eliminate fugitive emissions.

² Wyle Laboratories, Acoustic Research and Consulting, is located at 2001 Jefferson Davis Highway, Suite 701, Crystal Plaza, Arlington, VA 22202. Enclosed find material from their website regarding their experience.

³ Aggregate which is delivered via these freight cars is merely a combination of small and large rocks, not coal.

3) Storm Water Management:

As part of the Full Environmental Baseline Study obtained by Virginia Paving through an independent environmental consultant, Greenfield International Corporation⁴, and submitted to the City on March 31, 2005, Virginia Paving has developed a proposed Storm Water Management Plan that includes the installation of a super silt fence, a stone filter, a settling basin and an oil/water separator, as well as additional berming and channeling of water to the settling basin. A proposed Storm Water Management Plan was submitted to the City on June 20, 2005 for review and comment. Virginia Paving has committed to achieving Best Management Practices for automotive related uses as requested by the City. Virginia Paving is committed to install a full functioning storm water management system within 6 months of receiving approval from the City for their plan/design.

Virginia Paving has already taken the following measures to improve storm water runoff conditions prior to implantation of the full Storm Water Management Plan as well as beautifying the stream itself:

- a) As part of the Adopt-A-Stream program in the Commonwealth of Virginia, Virginia Paving, Virginia Paving's walks a ¼ mile stretch of Backlick Run twice a year to clean up the stream bed of trash and other materials.⁵
- b) Best Management Practices (BMPs), identified in Virginia Paving's "Short Term Work Plan," submitted to the City on February 4, 2005, for stormwater runoff are being utilized in interim prior to sediment basin design approval and construction. Virginia Paving has provided a temporary settling basin with check dams to slow stormwater. The storm water runoff is filtered through a silt fence initially, and then an infiltration bed of crushed stone.
- c) Virginia Paving has a current Stormwater Pollution Prevention Plan (SWPPP) and VPDES General Permit for Storm Water Discharge Associated with Industrial Activity in place. The SWPPP sets out measures to reduce and eliminate the discharge of contaminated storm water.

4) Stream Buffer/RAP pile size:

Virginia Paving has committed to increasing the current buffer between its RAP pile and the top of the streambed of Backlick Run to 25 feet at a minimum by September 1, 2005 and to install landscaping within that buffer area in consultation with City Staff. Virginia Paving has already begun to move the pile back from where it has historically been located and has hired a landscape architect to draft a landscape plan for submission by mid- to late-July, 2005. Virginia Paving is also committed to installing an earth berm upon design approval.

⁴ Enclosed please find material from Greenfield's website regarding their professional experience.

⁵ A copy of Virginia Paving's certificate from the Adopt-A-Stream program is also enclosed.

5) Conclusion:

Virginia Paving has taken significant steps to maintain and even improve the condition at its Asphalt Plant at 5601 Courtney Avenue which is in compliance with all of its State DEQ and Federal EPA permits for all matters, including emissions. We note that Virginia Paving's 2004 EPA citation was for a violation for not having a Stormwater Pollution Prevention Plan, and for no other reason. Virginia Paving has provided the EPA with such a plan, paid a fine, and is now in compliance. In this one of the last remaining industrial areas of this City, Virginia Paving has committed to being an even better neighbor by installing measures that exceed the Best Available Control Technologies for its industry, including state-of-the-art Blue Smoke technology on its silos. It is important to note that Virginia Paving is located within approximately half-mile radius of at least six other industrial uses in close proximity to the residences that have been built within the last five years, including two State landfills, a Virginia Department of Transporation operations facility, Vulcan Materials Company, and the City's Waste to Energy Plant. This remains a vibrant industrial area.

Virginia Paving remains committed to making any and all improvements to their operation deemed necessary to maintain and/or exceed the best available control technologies for this site. Virginia Paving encourages the City to continue to visit and observe the improvements that have already been made, and will continue to be made. Please do not hesitate to contact me with any questions or comments.

Very truly yours,

Mary Catherine Gibbs

Enclosures

cc: Mr. Richard Josephson, Deputy Director, Planning & Zoning

Mr. Richard Baier, Director, T&ES

Mr. Dennis A. Luzier, Plant Manager, Virginia Paving Company

Mr. Mark A. Schiller, Assistant District Manager, Virginia Paving Company

Mr. Jay S. Cruickshank, Vice President Legal and Safety, The Lane Construction Corp.

⁶ See the Full Environmental Baseline Study at page 7. A copy of the closure letter from the EPA is also enclosed. In 1983, A Leaking Underground Storage Tank (LUST) was discovered on the site, and in accordance with the corrective action plan (CAP) #168, it is expected that clean closure for this LUST site will be achieved by September 2005.



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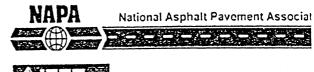




RAMCON Environmental has a history of over twenty eight (28) years in air emissions testing and environmental consulting. RAMCON Environmental has the capability to provide testing professionals and consulting engineers for the most demanding projects. We know the regulations, the methods, the equipment and the processes. We are driven to excel, demanding more of ourselves than required.

Proud to be a member of the following professional organizations:





K Standards Wendwice

In US EPA regulations:

- . NSPS
- PSD
- . Title V
- BACT
- . MACT
- RCRA
- CERCLA SARA 313

In US EPA Protocol / NIOSH / OSHA / NCASI Methods. The professionals at RAMCON execute these methods routinely. Adept at applying methodologies for your specific needs.

Driven to Excellence in Service

RAMCON Environmental, the professionals, the specialists suited to meet your Environmental Consulting and Air Emissions Testing needs.

- 1. Experienced Consultants in NSPS, PSD, BACT, MACT, RCRA, CERCLA, NESHAP, and SARA 313 for reporting requirements, equipment modification, and compliance.
- 2. Full capability air emissions measurement services including preparation and submittal of pre-test sampling protocols, regulatory compliance and consultation.
- 3. Real-time measurement of THC, SO2, CO, NOx, O2, and CO2 providing on-site test results with continuous emission gas analyzers.
- 4. Relative Accuracy Test Audits (RATA) for continuous emission monitoring systems as established in EPA Part 60 Performance











Specifications and EPA Part 75 regulations.

- 5. Predictive Emissions Monitoring System (PEMS) development and certification using neural network technology. (Pavilion Technologies, Inc. Software CEM)
- 6. Gas Chromatography analysis using direct interface (on-site) sampling technique for Hazardous Air Pollutants, Total Reduced Sulfur (TRS), Specific VOC's for all industry categories.
- 7. Isokinetic measurement of Particulate Matter, Multi-metals, Dioxins/Furans, PAH's, PCB's, semi-volatiles, Aldehydes/Ketones, Ammonia, and Acid gases.
- 8. Air emissions compliance determinations for many process types and designs including Boilers, Furnaces, Catalytic Cracking Units, Turbines, Incinerators, Kilns, Dryers, Reactors, and Distillation Columns.
- 9. Efficiency determinations for all major air pollution control systems and technologies: Baghouses, Scrubbers, Cyclones, Electrostatic precipitators, Afterburners, and RTO's.
- 10. Complete knowledge of the ever changing regulations and how they effect your facility.



Site Navigation U

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ASPHALT

RAMCON Environmental has performed literally thousands of stack testing and consulting projects on Batch, Drum-Mix, and Hybrid asphalt facilities; ranging from Wet-scrubber and fabric filter technology, alternative fuel applications, and storm water requirements. RAMCON is considered the industry standard for air emissions sampling and consulting in the materials industry. Providing sampling and consulting for 28 years. RAMCON Environmental has been an active member of NAPA for 25 years providing support and guidance for environmental challenges facing the industry.

Manufacturers of Asphalt facilities often request our service for performance testing of new installations.

- Astec
- Cedar Rapids
- CMI
- ALMix

RAMCON Environmental services include:

- Set-up consulting
- Process optimization
- Stack testing
- Permit application
- Annual report requirements



NATIONAL ASPHALT PAVEMENT ASSOCIATION

RamcorW.D. Sawyer 1625 HWY 70, Kingston Springs, TN 37082 (615) 952-5461 Office • (615) 952-5411 Fax



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The Wyle Acoustics Group provides a wide range of professional services concerned principally with acoustics, vibration, and their allied technologies, including services to the aviation industry. Since its inception in 1963, Wyle has completed thousands of projects in areas as diverse as aircraft noise, railroad and railyard noise, acoustical design of buildings, highway noise, sonic boom studies, research into the effects of noise on people, specialized noise and vibration studies, and active noise control.

Today, the group is among the world's largest and most diversified acoustical consulting group and maintains a staff of more than 50 professionals, many with advanced degrees in their area of specialty.

Wyle's goal is to understand each client's unique goals and requirements and to continually strive to provide each client with innovative, yet practical and cost-effective, solutions. Wyle maintains an international reputation for technical excellence as they continue to serve clients as diverse as:

- NASA
- Federal Aviation Administration
- Aerospace industry
- . U.S. National Park Service
- Airports
- Federal, state, and local government agencies
- . U.S. Navy, Air Force and Army
- · Industrial and manufacturing organizations
- · Railroad industry
- Architects, engineers, and planners

Wyle provides services in the following areas:

- Acoustic Research
- Active Noise Reduction
- Architectural Acoustics
- Aviation Noise Modeling
- Aviation Services
- Environmental Noise



(Photo courtesy of

- Industrial Noise Control
- Military Operations
- Surface Transportation

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::About Us >> Our Capabilides::

Greenfield International, a woman and minority owned company, was established in 1994. We are a comprehensive environmental management, engineering, technical, and remedial services company. Greenfield International consists of a diverse team of associates including environmental managers, engineers, scientists, and specialists. Our team of professionals average over 20 years of direct professional level environmental experience. This team provides extensive environmental consulting services in environmental program and project management. Our capabilities and services include environmental policy development and strategic planning, requirements and risk determinations, program and project development, implementation and support, budget and funding determinations, operational and environmental investigation, risk assessment, mitigation, engineering, design, and monitoring, and program and project assessment, auditing, and quality assurance.

Greenfield International has extensive experience in developing, implementing, and executing environmental programs and mitigative measures in private and commercial operations, academic and research institutions, and Federal, State, and local programs including the Department of Defense. Our success continues to be founded on our unparalleled ability to rapidly assess environmental requirements, determine where real risks exist, and institute efficient, technically, and economically sound solutions to environmental challenges faced by all organizations in today's environmentally sensitive cultural and business climate.

Greenfield International has identified considerable cost savings within existing agencies' environmental programs, and saved our clients millions of dollars while assisting them in the efficient and effective management and mitigation of environmental and occupational hazards. Rapidly assessing real risk and proactive allocation of resources is our main effort to help eliminate negative environmental conditions and concerns. We provide the client with a full compliment of environmental services allowing a streamlined proactive approach to environmental hazard identification and mitigation.

Our Vision

Environmental considerations are an integral part of routine business for all organizations today. Successful businesses have operating and capital investment budgets for environmental assessment and control...

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Key individuals

- Soe Aung
- Thidar Lwin
- John Love
- King Troensegaard

 Thein Aung
 - Win Pe

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Stewardship Virginia

Virginia Paving Company's Alexandria Asphalt Facility

stewardship have contributed to conserving and enhancing Virginia's lands and waters. Your contribution helps Thank you for taking part in Stewardship Virginia. Your spirit of volunteerism and commitment to citizen ensure the health of our waterways for present and future generations.

May 26, 2005

date

Mark R. Warner



W. Tayloe Murphy,

Secretary of Natural Resources

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cc: Mc UNITED STATES ENVIRONMENTAL PROTECTION AGENCY NWR **REGION III** Received DAL 1650 Arch Street Philadelphia, Pennsylvania 19103-2029 HAL APP. 1 1 2005 RB Legal Department COM Mr. Jay S. Cruickshank, Vice President Legal MRH APR 0 7 2005 Lane Industries Incorporated GAB 965 East Main Street Meriden, CT 06450

Re:

Amended Administrative Order Docket No. CWA-03-2004-0064DN NPDES Permit No. PAR706118

Dear Mr. Cruickshank:

This agency has completed a review of its enforcement docket. Based on that review, the above referenced Administrative Order is officially closed.

We look forward to your continued compliance. Any noncompliance with your National Pollutant Discharge Elimination System (NPDES) pennit or the Clean Water Act (CWA) could result in the initiation of an enforcement action against you pursuant to the federal enforcement provisions set forth in Section 309(a) of the CWA, 33 U.S.C. Section 1319(a).

Thank you for your cooperation in this matter. If you have any questions, please contact Ms. Gilda Coker at (215) 814-5432.

Sincerely,

Cingle Mitalec

Angela McFadden, Acting Chief NPDES Branch Office of Compliance and Enforcement

cc: John D. Bowden, Northern Region VA DEQ James R. Collier, DC DOH Terry Pallas, PA DEP

City of Alexandria Existing Asphalt Contract Work - Summer/Fall 2005

- King from \sim Janneys to Walnut
- Van Dorn Edsall to Duke

- Henry Queen to Duke
 Patrick Queen to Duke
 Duke Daingerfield to Henry